

THE DISTRICT COURT OF THE UNITED STATES  
FOR THE MIDDLE DISTRICT OF ALABAMA  
EASTERN DIVISION

UNITED STATES OF AMERICA                    )  
  )  
                  v.                                    ) CR. NO. 3:07CR106-WKW  
  )  
DAVID RAY a/k/a "D"                         )

UNITED STATES MOTION DOWNWARD DEPARTURE  
PURSUANT TO U.S.S.G. 5K1.1 FOR SUBSTANTIAL ASSISTANCE AND TITLE 18  
UNITED STATES CODE SECTION 3553(e)

Comes now the United States of America, by and through Leura G. Canary, United States Attorney for the Middle District of Alabama, and pursuant to Section 5K1.1 of the United States Sentencing Guidelines and Title 18, United States Code, Section 3553(e), respectfully requests this Honorable Court to reduce defendant's offense by three (3) levels; as reasons therefore, submits the following:

1. From the time of his indictment, Ray has cooperated with both agents of the United States and the State of Alabama.
2. Specifically, Ray was debriefed by Task Force Agent Joe Herman of the Alabama High Intensity Drug Trafficking Task Force. According to Agent Herman, Ray provided valuable information regarding drug trafficking and other crimes within the Southeast. Although this information has not yet resulted in any arrests, it has created investigations into crimes and individuals not previously known to law enforcement. Agent Herman believes that Ray's information will lead to arrest and prosecution of large scale drug traffickers within the Southeast. Ray has agreed to cooperate with law enforcement, including providing testimony wherever it might be necessary.

3. As part of the plea agreement, Ray has waived his right to appeal and/or collaterally attack the sentence imposed in this case.

4. After providing information regarding criminal activity, the United States agrees that a certain degree of risk arises for defendants and their families.

Wherefore, premises considered, the United States moves this Honorable Court grant an downward departure, pursuant to Title 18, United States Code, Section 3553(e) and U.S.S.G. 5K1.1, of 3 levels for Defendant's substantial assistance.

Respectfully submitted this the 7th day of April, 2008.

LEURA G. CANARY  
UNITED STATES ATTORNEY

/s/ Verne H. Speirs  
VERNE H. SPEIRS  
Assistant United States Attorney  
Post Office Box 197  
Montgomery, Alabama 36101-0197  
334-223-7280  
334-223-7135 Fax  
[verne.speirs@usdoj.gov](mailto:verne.speirs@usdoj.gov)

IN THE DISTRICT COURT OF THE UNITED STATES  
FOR THE MIDDLE DISTRICT OF ALABAMA  
EASTERN DIVISION

UNITED STATES OF AMERICA	)	
	)	
v.	)	CR. NO. 3:07CR106-WKW
	)	
DAVID RAY a/k/a "D"	)	

CERTIFICATE OF SERVICE

I hereby certify that on April 7, 2008, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to Richard Keith.

Respectfully submitted,

LEURA G. CANARY  
UNITED STATES ATTORNEY

/s/ Verne H. Speirs  
VERNE H. SPEIRS  
Assistant United States Attorney  
Post Office Box 197  
Montgomery, Alabama 36101-0197  
334-223-7280  
334-223-7135 Fax  
[verne.speirs@usdoj.gov](mailto:verne.speirs@usdoj.gov)